

U.S. DISTRICT COURT
NORTHERN DISTRICT OF TEXAS
FILED

IN THE UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF TEXAS
FORT WORTH DIVISION

ROBBY JOE Trevino and LAURIE §
DALE REED, Individually, and as §
Personal Representatives of the §
Estate of ALISHA Trevino, and §
as next friend of A.N., a minor, §

Plaintiffs, §

VS. § NO. 4:17-CV-227-A

CITY OF FORT WORTH, ET AL., §

Defendants. §

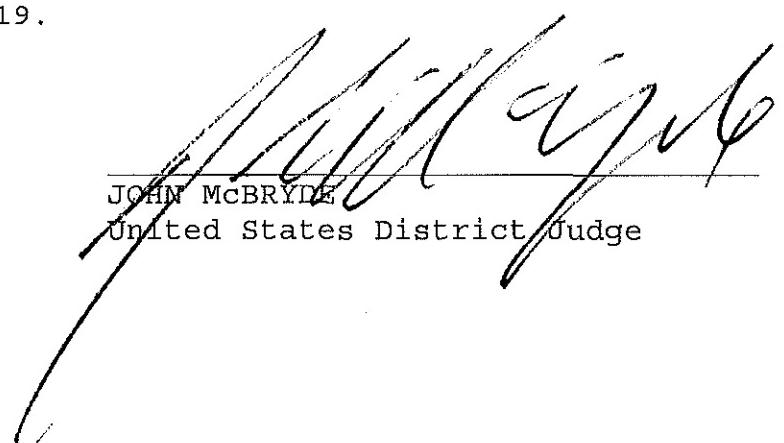
ORDER

Came on for consideration the motion of plaintiffs, Robby Joe Trevino and Laurie Dale Reed, Individually, and as personal representatives of the Estate of Alisha Trevino, and as next friend of A.N., a minor, for new trial. The court, having considered the motion, the response of defendant City of Fort Worth ("City"), the record, and applicable authorities, finds that the motion should be denied. Plaintiffs have not shown that they are entitled to relief under Rule 59(e) of the Federal Rules of Civil Procedure. Nor have they shown that they are entitled to relief under Fed. R. Civ. P. 60(b). As City points out, plaintiffs admit in their motion that their counsel failed to conduct themselves properly. Failing to register for ECF, relying on a legal assistant to provide counsel with court filings, and not keeping up with the status of the case do not constitute

excusable neglect. Walker v. Transfrontera CV de SA, 634 F. App'x 422, 426-27 (5th Cir. 2015); Edward H. Bohlin Co. v. Banning Co., 6 F.3d 350, 356-57 (5th Cir. 1993).

The court ORDERS that plaintiff's motion for new trial be, and is hereby, denied.

SIGNED March 11, 2019.


JOHN McBRYDE
United States District Judge